

United States District Court

Eastern District of California

Jeffrey Marshall,

Plaintiff,

No. Civ. S 04-1657 DFL PAN P

vs.

Findings and Recommendations

Solano County Sheriff, et al.,

Defendants.

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May 11, 2005, the court ordered plaintiff to show cause why claims against defendant Solano County Sheriff should not be dismissed pursuant to Fed. R. Civ. P. 4(m) for plaintiff's failure timely to serve defendant. Plaintiff did not respond.

Accordingly, I hereby recommend claims against Solano County Sheriff be dismissed without prejudice. Fed. R. Civ. P. 4(m).

Pursuant to the provisions of 28 U.S.C. § 636(b)(1), these findings and recommendations are submitted to the United States District Judge assigned to this case. Written objections may be

1 filed within 20 days of service of these findings and
2 recommendations. The document should be captioned "Objections to
3 Magistrate Judge's Findings and Recommendations." The district
4 judge may accept, reject, or modify these findings and
5 recommendations in whole or in part.

6 Dated: July 7, 2005.

7 /s/ Peter A. Nowinski
8 PETER A. NOWINSKI
Magistrate Judge

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